

KUTAK ROCK LLP

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re)	Case No. 08-35653-KRH
)	
Circuit City Stores, Inc.,)	Chapter 11
)	
Debtor-in-Possession.)	Jointly Administered
)	

**MOTION TO APPEAR *PRO HAC VICE* PURSUANT
TO LOCAL BANKRUPTCY RULE 2090-1(e)(2)**

Kimberly A. Pierro (the “Movant”), a member in good standing of the bars of, and admitted to practice in, the Commonwealth of Virginia, and admitted to practice before, among other courts, the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”), and an associate with Kutak Rock LLP, hereby moves (the “Motion”) this Court to enter an order, the proposed form of which is attached hereto as Exhibit A, authorizing Scott M. Shaw (the “Admittee”), with Husch Blackwell Sanders LLP (“Husch”), to appear *pro hac vice* before this Court to represent CBL & Associates Management, Inc., a creditor in the above-captioned chapter 11 bankruptcy cases pursuant to Rule 2090-1(e)(2) of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the “Local Bankruptcy Rules”). In support of the Motion, the Movant states as follows:

1. The Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C §§ 157 and 1334. The relief requested in this Motion is a core proceeding

pursuant to 28 U.S.C § 157(b) and venue is proper before this Court pursuant to 28 U.S.C § 1409.

2. Scott M. Shaw is a partner in the Insolvency Group of Husch, resident in its Chattanooga, Tennessee office. He is admitted, practicing, and in good standing as a member of the bars of the States of Tennessee and Georgia. Among other courts, he is admitted to practice before the United States Bankruptcy Court for the Eastern District of Tennessee, and the Northern, Middle, and Southern Districts of Georgia, as well as the United States Court of Appeals for the Sixth Circuit. He frequently represents creditors in retail-based chapter 11 cases. Mr. Shaw has been practicing law since 1997. There are no disciplinary proceedings pending against Mr. Shaw.

3. The Movant requests that this Court grant this Motion so that the Admittee may appear and be heard at hearings in these chapter 11 cases.

4. Pursuant to Local Bankruptcy Rule 2090-1(E)(2), “an attorney from another state, the District of Columbia or a territory of the United States may appear and practice in cases upon motion of a member of the Bar of this Court, provided that in all appearances said attorney shall be accompanied by a member of this Bar.”

WAIVER OF MEMORANDUM OF LAW

5. Pursuant to Local Bankruptcy Rule 9013-1(g), and because there are no novel issues of law presented in this Motion, the Debtors request that this Court waive the requirement that all motions be accompanied by a written memorandum of law.

NO PRIOR REQUEST

6. No prior request for the relief sought herein has been made to this Court in these bankruptcy cases or to any other court.

WHEREFORE, the Movant respectfully requests that this Court enter an order, substantially in the form attached hereto as Exhibit A, (i) authorizing the Admittee to appear *pro hac vice* in association with the Movant as attorneys for CBL & Associates Management, Inc. in the above chapter 11 cases and (ii) granting such other and further relief as is just and proper.

Dated: Richmond, Virginia
December 10, 2008

Respectfully submitted,

/s/ Kimberly A. Pierro
Kimberly A. Pierro (VSB No. 71362)
Kutak Rock LLP
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Fax: (804) 783-6192
Co-counsel for CBL & Associates Management, Inc.

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on December 10, 2008, a true and exact copy of the foregoing motion and proposed order were forwarded via ECF notification or by first class, postage prepaid, to the following necessary parties as set forth in the Order Establishing Certain Notice, Case Management, and Administrative Procedures entered November 13, 2008: (i) the Office of the United States Trustee for the Eastern District of Virginia, (ii) the Debtors and bankruptcy co-counsel, (iii) counsel to the Official Committee of Unsecured Creditors, (iv) counsel to the agents for the Debtors' pre-petition lenders, (v) counsel to the agents for the Debtors' post-petition lenders, and (vi) all parties that have requested notice pursuant to Bankruptcy Rule 2002.

/s/ Kimberly A. Pierro

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Co-counsel for CBL & Associates Management, Inc.

EXHIBIT A

Proposed Order

KUTAK ROCK LLP
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**ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE* PURSUANT TO
LOCAL BANKRUPTCY RULE 2090-1(e)(2)**

THIS MATTER having come before the Court upon the Motion to Appear *Pro Hac Vice* Pursuant to Local Bankruptcy Rule 2090-1(e)(2) (the “Motion”)¹ of Kimberly A. Pierro, an associate with the law firm of Kutak Rock LLP, for the admission *pro hac vice* of Scott M. Shaw, the Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) proper and adequate notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary, and (iv) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and all of the proceedings had before the Court in connection with the Motion. Therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is GRANTED.

2. Scott M. Shaw is permitted to appear *pro hac vice* as counsel for CBL & Associates Management, Inc., a creditor in the above-captioned chapter 11 cases in accordance with Local Bankruptcy Rule 2090-1(e)(2).

Dated: Richmond, Virginia
December ___, 2008

United States Bankruptcy Judge

I ask for this:

/s/ Kimberly A. Pierro

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¹ Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Motion.